

ATTACHMENT TO NOTICE OF ALLOWABILITY

Request for Continued Examination

1) A request for continued examination under 37 C.F.R 1.114, including the fee set forth in 37 C.F.R 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 C.F.R 1.114, and the fee set forth in 37 C.F.R 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 C.F.R 1.114. Applicant's submission filed on 12/28/09 has been entered.

Applicant's Amendment

2) Acknowledgment is made of Applicant's amendment filed 12/28/09 in response to the final Office Action mailed 06/25/09.

Status of Claims

3) Claim 18 has been amended via the amendment filed 12/28/09.

Claim 18 is pending and is under examination.

Rejection(s) Withdrawn

4) The rejection of claim 18 made in paragraph 15 of the Office Action mailed 06/25/09 under 35 U.S.C. § 112, first paragraph, as containing new matter, is withdrawn in light of Applicant's amendment to the claim.

5) The rejection of claim 18 made in paragraph 17 of the Office Action mailed 06/25/09 under 35 U.S.C. § 112, second paragraph, as being indefinite, is withdrawn in light of Applicant's amendment to the claim.

6) The rejection of claim 18 made in paragraph 19 of the Office Action mailed 06/25/09 under 35 U.S.C. § 103(a) as being unpatentable over Beuvery *et al.* (*Infect. Immun.* 41: 609-617, 1983, of record) in view of McMaster (US 6,146,902, of record), Perkins BA (*JAMA* 283: 2842-2843, 07 June 2000, of record) and Cadoz *et al.* (*Vaccine* 3: 340-342, 1985), is withdrawn in light of Applicant's amendment to the claim.

Remarks

7) Claim 18, now renumbered as claim 1, is allowed.

8) Papers related to this application may be submitted to Group 1600, AU 1645 by facsimile transmission. The Fax number for submission of amendments, responses and/or papers is (571) 273-8300, which receives transmissions 24 hours a day and 7 days a week.

9) Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAG or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (in USA or CANADA) or 571-272-1000.

10) Any inquiry concerning this communication or earlier communications from the Examiner should be directed to S. Devi, Ph.D., whose telephone number is (571) 272-0854. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday to Friday from 7.15 a.m. to 4.15 p.m. except one day each bi-week, which would be disclosed on the Examiner's voice mail system.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Robert Mondesi, can be reached on (571) 272-0956.

/S. Devi/
Primary Examiner
AU 1645

January, 2010